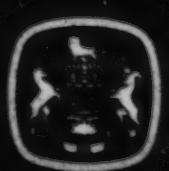
ENVIRONMENTAL *Action Plan* FOR BRITISH COLUMBIA



MINISTRY OF ENVIRONMENT, LANDS AND PARKS
PROVINCE OF BRITISH COLUMBIA

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A Message from the Minister of Environment, Lands and Parks

The environmental mandate of the Ministry of Environment, Lands and Parks is to protect the clean air, fresh water and productive land on which we all depend, and to nurture the abundance of natural areas, wildlife and scenic beauty that is so much a part of our sense of what it is to be a British Columbian.

The ministry is strongly committed to carrying out this mandate — not only for the people of today, but for all the generations to come.
The environment must be protected and enhanced. The need for concerted and effective action has never been more urgent.
I am therefore pleased to present the *Environmental Action Plan for British Columbia*.

This document sets out the ministry's understanding of the challenges we face and our environmental priorities. It builds on the directions we clearly set out during the last election, and is a commitment to sound and thoughtful environmental management.

The *Environmental Action Plan* is also a commitment to consultation and review. Protecting the environment is a responsibility of government ministries and agencies, as well as a stewardship shared by all British Columbians. Understanding the problems and achieving the solutions will require the collective resolve and action of individuals, groups and communities.

To succeed, we must work together. Your involvement in developing and shaping the environmental future for our province is essential.

John Cashore
Minister of Environment Land and Parks.

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A Shared Understanding

If British Columbians are to meet the environmental challenges of the present and future, we must develop a shared understanding of the ecological and economic issues confronting us. In the past, reaching consensus has been difficult. Some people have felt that environmental problems were exaggerated or that the concerns were temporary and would pass. Others have advanced solutions that were not widely supported.

However, the experience of the last decade, the collective work of many groups, commissions and committees, and the increasing weight of knowledge and information have led to several broadly supported conclusions. They include the following:

- Human activity has significantly and adversely affected the quality of the environment. This will continue if present practices do not change.
- Environmental problems are not remote or rural. The most serious issues are largely the result of urban pressures and the demands of urban populations.
- There is a strong link between the need for a healthy environment and a healthy economy. Environmental well-being and economic prosperity are no longer necessarily in conflict. Both are essential to our pursuit of sustainable development.
- British Columbia has not yet experienced the high degree of environmental degradation that many countries have. However, we are experiencing, and causing, the same kinds of ecological problems that are threatening the whole biosphere. If we are to maintain and strengthen our quality of life and economic vitality, we must address major environmental issues.
- More and more, local environmental issues will be influenced by international factors. We must play our part in resolving worldwide environmental problems.
- British Columbians are concerned and well informed about the environment. However, many criticize government's ability to protect the environment, as well as its level of commitment.

- Individuals and communities are increasingly willing to take more responsibility for environmental problems and their solutions. They are demanding a say in the development and delivery of environmental protection programs.

These are the challenges that face us. Understanding their significance and the urgent need for change is a crucial step. Equally important is insisting that the government's policies and programs are both explicit and consistent.

A Clear Message

The Ministry of Environment, Lands and Parks has a clear, consistent message for all British Columbians — individuals, resource industries, environmental groups, Aboriginal peoples, and those who enforce the laws and administer the programs. This message underlines the ministry's strong commitment to environmental protection and restoration, and embodies the following principles:

- **We are all in this together.** No single group has caused all the environmental problems nor is responsible for all the solutions. Ensuring clean air, for example, is not just up to industry — each one of us can play an essential part in cutting emissions, especially by reducing automobile use.
- **Environmental decisions must be shared.** The government's environmental policies and decisions must developed, and then turned into action, through an equal partnership with local governments and citizens. To ensure effective public involvement, essential information on the environment must be readily available.
- **Attitudes must change in many areas.** We need to lower our consumption and make environmental health a key consideration in all our choices. We must continue to generate the economic activity needed to support our way of life, but without degrading the quality of our natural environment.

- **Our resources are not infinite and must be carefully managed.** Our wealth of natural resources is a tremendous inheritance. These resources can continue to be the mainstay of our economy if we make them sustainable. We can do this by careful land-use planning, by making sure we do not deplete our resource capital, and by minimizing the impact of resource-based industries on the environment.

- **Decisions on resource use and economic development must weigh the potential effects on the entire ecosystem.** Never again can environmental concerns be dealt with as an afterthought — they must be part of the process from the outset. Nor can we take for granted the ongoing economic viability of our key resource industries.

- **Polluters and users of the environment must pay for its protection and restoration.** "Polluter pays" is more than a slogan. It is a new way of looking at the consequences of pollution. If there are environmental consequences associated with a particular activity, they should be reflected in its costs.

- **We must enforce environmental standards that are both tough and fair.** Strong regulations are necessary to curb irresponsible environmental behaviour by individuals and corporations. This is a government responsibility — to draw a clear line and say, firmly, "you can't go any further."

- **B.C. can set an example to the world in its environmentally sensitive industries and communities.** We can reconcile social, economic and environmental factors to achieve a secure environment and a sustainable, vibrant economy. Not only is this a moral obligation to ourselves and our children; it also makes good economic and social sense.

Our Environmental Priorities

We cannot do everything at once. We must start with the most pressing concerns. In addition, we must develop the programs and policies needed to avoid future problems. Our priorities for the next two years are:

- **Improving Environmental Impact Assessment**
- **Preserving Biodiversity and Natural Areas**
- **Reducing Waste and Preventing Pollution**
- **Improving Water Management**
- **Strengthening Enforcement and Compliance**

Improving Environmental Impact Assessment

Carefully considering the environmental impact of developments and activities is crucial to ensuring a healthy environment and a sustainable economy. It is time to review and reform our system of environmental impact assessment — to better reflect new attitudes and new approaches, and meet new needs. We should retain the current system's best features, while providing for a simpler, more efficient process. Particular concern must be paid to avoiding duplicated effort by different levels of government.

Preserving Biodiversity and Natural Areas

In a world rapidly losing wildlife and natural areas, British Columbia is fortunate to still have diverse and abundant species and ecosystems. The ministry is committed to maintaining and preserving this rich biodiversity, and to enhancing British Columbians' enjoyment of their natural heritage.

An important initiative in this area is the recent appointment of the Commission on Resources and Environment to develop an effective land-use planning system for our province. The commission's tasks will include considering resource conflicts, as

more and more users compete for a decreasing supply of natural resources. Its work will complement the efforts of the ministry's environmental protection and resource management programs.

Reducing conflicts over land use requires the setting of regional goals for fish, wildlife and water allocation. The ministry has started this process by creating a five-year plan to make an adequate inventory of fish and wildlife populations and habitat. This information will be key to developing the province's land use strategy — to help protect critical habitats and maintain biological diversity.

The ministry is also moving to identify and protect endangered species and habitats. Natural areas will be protected as part of our parks-and-wilderness strategy, as well as by policies controlling access.

Reducing Waste and Preventing Pollution

In the past, waste management has often ignored the simple fact that everything must go somewhere. No longer can we "dispose" of our waste by simply putting it somewhere else. We need to stop fouling our own nest and start managing our waste so that human health and the environment are not harmed.

The emphasis must be on reducing waste, especially toxic waste. This requires the development of comprehensive strategies for municipal waste (solid and liquid), toxic chemicals, hazardous waste, industrial and agricultural waste, and biomedical waste.

In all areas, it will be essential to implement the "five Rs" of waste management — *reduce, reuse, recycle, recover* and carry out *residual management*. Therefore, specific reduction targets will be introduced for municipal solid waste, hazardous waste and pesticide use.

Pollution can also be prevented through stringent standards for discharges into the environment. Contaminated sites and dangerous waste must also be carefully controlled. Important initiatives include reviewing and updating environmental standards, and developing a provincial clean air strategy.

Improving Water Management

Better stewardship of our water resources is a major goal of the ministry. Clean water is plentiful in British Columbia. However, it is under increasing strain from the demands of a growing population and the impact of industrial and agricultural activity. Water is also crucial to wildlife and fish. The ministry is taking steps in several realms — to improve groundwater protection and allocation, develop water quality standards, create tools for proper water resource planning, and develop a comprehensive water export policy.

Strengthening Enforcement and Compliance

The ministry has injected considerable strength into enforcement and compliance procedures in recent years. Charges have increased, as has the amount of fines. While this trend will continue, the current system is limited. Innovative approaches and ideas, such as financial incentives and administrative penalties, are needed to encourage better compliance with environmental standards.

Legislative Renewal

Fresh approaches, new programs, and innovative ways of dealing with environmental challenges are hampered by outmoded legislation. The ministry is responsible for over 20 acts that relate in some way to environmental management. All need review and revision to ensure a solid legislative foundation for sound policy and program development.

Building on a Solid Foundation

During the term of this administration, all the environmental protection legislation of the Ministry of Environment, Lands and Parks will be consolidated and reformed.

We are building on much past work. The recent circulation of several public consultation documents has led to valuable input from many different individuals and organizations. We have also profited from the extensive effort of other jurisdictions in Canada who are involved in similar reviews.

The Proposed Acts

The current legislative base for the ministry's environmental programs will be consolidated into four new acts:

- ***The British Columbia Environmental Protection Act*** **(BCEPA);**
- ***The Wildlife, Fish and Endangered Species Act*** **(WFESA);**
- ***The British Columbia Environmental Assessment Act*** **(BCEAA); and**
- ***The British Columbia Water Management Act*** **(BCWMA).**

The ***British Columbia Environmental Protection Act*** **(BCEPA)** will be the major environmental protection act of the ministry. It will group together the provisions that apply to all environmental legislation — such as the general principles of environmental management, enforcement, environmental rights and obligations, appeals, and emergency measures. As well, the BCEPA will establish the legislative basis for programs related to pollution prevention and control, air quality, water quality, pesticides and waste management.

The ***Wildlife, Fish and Endangered Species Act*** **(WFESA)** will encompass all programs concerned with managing and enhancing wildlife, fish, habitat and endangered species. This act will be a major environmental statute. It will provide for many new approaches and programs on species protection, biodiversity and wildlife enhancement, which are now required.

The ***British Columbia Environmental Assessment Act*** **(BCEAA)** will contain all measures related to environmental impact assessment. It will incorporate modern ideas and procedures on this subject, and combine the current assessment processes into one integrated system. Of particular concern will be the scope and application of environmental assessment to all activities and developments with significant environmental impacts. Care will also be taken to ensure cooperation and efficiency between jurisdictions.

The ***British Columbia Water Management Act*** **(BCWMA)** will consolidate all provisions dealing with the effective management of water. This will include groundwater protection, instream flow protection, water management planning and water export.

Ensuring Consistency

Developing these four major acts will allow for the elimination and consolidation of most of the ministry's smaller acts. However, the new laws must be carefully linked, and the principles guiding their development should be the same.

The requirements common to every act will be in the *B.C. Environmental Protection Act* and will apply to all. For example, the provisions setting out the mandate of the Environmental Appeal Board and the scope of its authority will be in the BCEPA, as will all enforcement provisions.

To provide direction and consistency in the completion of the review, the ministry has adopted these principles:

- **Openness and Consultation** — The ministry's commitment to open government will be expressed in the new legislation, as well as in the process whereby this legislation is completed. The legislation will ensure that information is accessible to British Columbians, and that ministry procedures are open, with frequent opportunities for public participation.
- **Integration** — Achieving the goals of sustainable development and environmental protection will require more emphasis on the integrated management of our resources. Hence, the legislation will promote greater integration between ministry programs and activities.
- **Innovation** — The legislation will include new ideas and approaches. Examples are financial incentives to encourage compliance, and a commitment to public education and information.
- **Delegation** — Where appropriate, the legislation will provide for the delegation of decision making — within the ministry, to other ministries and to local government.

- **Prevention** — The legislation will reflect a commitment to anticipating, preventing and resolving environmental concerns before they can become major problems.
- **Effective compliance and enforcement** — The legislation will reflect the need for new approaches to promoting compliance and aiding enforcement — to ensure that the law on the books reflects the practice in the field.

The acts will be consistent in structure and drafting, with the principles of plain language used in all.

THE CONSULTATION PROCESS

The complete overhaul of the province's environmental legislation is an ambitious undertaking. Trying to proceed with everything at once would delay the process and impede the efforts to make substantial, needed changes. For this reason, the legislative reform will be approached incrementally, with the publication of discussion papers followed by review and discussion. This will provide the time for a thorough consultation with the public and key stakeholders on the changes being recommended. Urgent, necessary amendments to deal with immediate concerns and problems will also proceed and be integrated into the overall review.

The development of new environmental laws will reflect the same qualities that should guide their administration — openness, consultation, clarity, innovation, timeliness and efficiency. Similarly, the supporting discussion papers will be detailed, and will clearly state the ministry's policy recommendations.
Consultation will start in the spring, 1992, on the first of the four proposed acts — the *British Columbia Environmental Assessment Act*.

A consultation team is assisting the review to encourage participation by individuals, groups and organizations. A report on the consultations will be prepared so that the points raised can be considered in developing the legislation.

Discussion papers on the remaining three proposed Acts will be released later, with the goal being the complete review of all legislation within the first term of the government. Public consultation and open government will continue to be of primary importance. The remaining discussion papers will include:

- ***Protecting Wildlife, Fish and their Habitatis***
- ***New Directions in Environmental Protection: Legislative Renewal;***
- ***Towards Effective Environmental Legislation — The General Provisions;*** and
- ***Reforming B.C.'s Water Management***

We have embarked on a demanding work plan and we have set our sights high. There may be some slippage because of unforeseen events. The consultations may require revision. Other matters may intercede.

Such unknowns are an inherent part of the consultative process. However, setting an ambitious goal for reforming our environmental laws will make the process focused and accountable. The Ministry of Environment, Lands and Parks will make every effort to meet our objective — new and modern legislation to promote environmental protection.